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Attorney for Plaintiff,  
Jose Vera

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE VERA

Plaintiff,

vs.

AURORA LOAN SERVICES LLC;  
CAL-WESTERN RECONVEYANCE  
CORPORATION;  
DEUTSCHE BANK TRUST COMPANY  
AMERICAS, IN TRUST FOR, RESIDENTIAL  
ACCREDIT LOANS, INC. MORTGAGE  
ASSET-BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2005-QO4;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.;  
HOMECOMINGS FINANCIAL, LLC;  
HOMECOMINGS FINANCIAL NETWORK,  
INC., a business organization, form unknown;  
TRIMERICA MORTGAGE CORPORATION,  
a business organization, form unknown.

) Case No: CV 09-03626-CW

) Hon. Claudia Wilken

) **STIPULATION AND ORDER**  
) **RE REPLY TO OPPOSITION TO**  
) **MOTIONS TO DISMISS (ORIGINALLY**  
) **SET FOR HEARING ON FEBRUARY 18,**  
) **2010)**

1 Plaintiff Jose Vera ("Plaintiff"), by and through counsel of record, and Defendants  
2 Homecomings Financial, LLC ("Homecomings"), GMAC Mortgage Corporation ("GMAC"),  
3 Cal-Western Reconveyance Corporation ("Cal-Western"), and Mortgage Electronic Registration  
4 System ("MERS"), by and through their respective counsel of record stipulate as follows:

5 WHEREAS all parties have in principal agreed on a proposed settlement in the above  
6 action and are making a good faith effort to dedicate the resolution to a final writing;

7 WHEREAS it is believed by all parties that such settlement may be achieved without  
8 further involvement by the court;

9 WHEREAS it is believed by all parties that such settlement will result in the dismissal  
10 of all parties to the action;

11 WHEREAS Homecomings, GMAC, and MERS have a reply due to Plaintiff's  
12 Opposition Defendants' Motion to Dismiss the Second Amended Complaint by February 4,  
13 2010;

14 WHEREAS all parties believe justice will be furthered and judicial resources conserved  
15 if Homecomings, GMAC, and MERS are allowed additional time to reply to Plaintiff's  
16 Opposition to Defendants' Motion to Dismiss the Second Amended Complaint;

17 IT IS HEREBY STIPULATED, and the parties request that the Court Order that any  
18 reply by Homecomings, GMAC, and MERS to Plaintiff's Opposition to Defendants' Motion to  
19 Dismiss the Second Amended Complaint be filed no later than February 18, 2010. Alternatively,  
20 the parties request that the Court continue the hearing date at least 2 weeks to March 4, 2010,  
21 making Homecomings, GMAC, and MERS' Reply due on February 18, 2010.

22 **IT IS SO STIPULATED.**

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1 DATED: February 1, 2010

2 LAW OFFICE OF ALLAN J. CORY

3  
4 By: /S/ Allan Cory

5 Allan J. Cory

6 Attorney for Plaintiff JOSE VERA

7 DATED: February 1, 2010

8 WRIGHT, FINLAY & ZAK, LLP

9  
10 By: /S/ Robin P. Wright

11 Robin P. Wright

12 Attorney for Defendant CAL-WESTERN

13 RECONVEYANCE CORPORATION

14 DATED: February 1, 2010

15 HOUSER AND ALLISON

16  
17 By: /S/ Robert L. Driessen

18 Robert L. Driessen

19 Attorneys for Defendant MORTGAGE

20 ELECTRONIC REGISTRATION SYSTEMS,

21 INC.

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2 DATED: February 1, 2010  
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4 PALMER, LOMBARDI & DONOHUE LLP  
5

6 By: /S/ Frederick A. Haist

7 Frederick A. Haist

8 Attorneys for Defendant GMAC MORTGAGE,  
9 LLC (f/k/a GMAC MORTGAGE  
10 CORPORATION) and HOMECOMINGS  
11 FINANCIAL, LLC (f/k/a HOMECOMINGS  
12 FINANCIAL NETWORK, INC.)  
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14  
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16 **ORDER**

17 Pursuant to the stipulation of the parties and good cause appearing therefore, any reply by  
18 Homecomings, GMAC, and MERS to Plaintiff's Opposition to Defendants' Motion to Dismiss  
19 the Second Amended Complaint shall be filed no later than February 18, 2010.  
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21 **IT IS SO ORDERED.**

22 2/3/10

23 Dated: \_\_\_\_\_

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25 Hon. Claudia Wilken

26 United States District Court Judge  
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